

Representative Susan Pulsipher proposes the following substitute bill:

EDUCATION AGENCY REPORT PROCESS AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor: Derrin R. Owens

6	Cosponsors:	Dan N. Johnson	V. Lowry Snow
7	Cheryl K. Acton	Marsha Judkins	Christine F. Watkins
8	Carl R. Albrecht	Karianne Lisonbee	
9	Stephen G. Handy	Jefferson Moss	

LONG TITLE

General Description:

This bill removes certain education reporting requirements and requires the State Board of Education to establish a policy or procedures to evaluate the impact a report required in a proposed rule may have on reporting requirements for local education agencies.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education (state board) to establish a policy or procedures to evaluate the impact any report required in a rule proposed by the state board may have on reporting requirements for a local education agency;
- ▶ removes education reporting requirements related to:
 - the program evaluation of the dual language immersion program;
 - a local education agency's expenditure of early literacy program money;
 - the digital teaching and learning program;
 - instruction and preparation of students to become informed and responsible



- 26 citizens; and
- 27 • the state board's progress implementing certain employee evaluations;
- 28 ▶ repeals the Student Leadership Skills Development Program;
- 29 ▶ repeals provisions related to the appropriation for accommodation plans for students
- 30 with Section 504 accommodations; and
- 31 ▶ defines terms.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **53E-1-201**, as last amended by Laws of Utah 2020, Chapters 51, 174, 254, 274, 321,
39 354, 365 and last amended by Coordination Clause, Laws of Utah 2020, Chapters
40 254, 274, and 321

41 **53E-1-202**, as last amended by Laws of Utah 2020, Chapters 330 and 354

42 **53E-1-203**, as last amended by Laws of Utah 2020, Chapters 365 and 388

43 **53F-2-502**, as last amended by Laws of Utah 2020, Chapter 408

44 **53F-2-503**, as last amended by Laws of Utah 2020, Chapters 174 and 408

45 **53F-2-510**, as last amended by Laws of Utah 2020, Chapter 408

46 **53G-10-204**, as last amended by Laws of Utah 2020, Chapter 320

47 **53G-11-505**, as last amended by Laws of Utah 2019, Chapter 293

48 **63I-2-253**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13

49 ENACTS:

50 **53E-1-205**, Utah Code Annotated 1953

51 REPEALS:

52 **53F-2-508**, as last amended by Laws of Utah 2020, Chapter 408

53 **53F-2-512**, as last amended by Laws of Utah 2020, Chapter 408



55 *Be it enacted by the Legislature of the state of Utah:*

56 Section 1. Section **53E-1-201** is amended to read:

57 **53E-1-201. Reports to and action required of the Education Interim Committee.**

58 (1) In accordance with applicable provisions and Section 68-3-14, the following
59 recurring reports are due to the Education Interim Committee:

60 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
61 including the information described in Section 9-22-113 on the status of the computer science
62 initiative and Section 9-22-114 on the Computing Partnerships Grants Program;

63 (b) the prioritized list of data research described in Section 35A-14-302 and the report
64 on research described in Section 35A-14-304 by the Utah Data Research Center;

65 (c) the report described in Section 35A-15-303 by the State Board of Education on
66 preschool programs;

67 (d) the report described in Section 53B-1-402 by the Utah Board of Higher Education on
68 career and technical education issues and addressing workforce needs;

69 (e) the annual report of the Utah Board of Higher Education described in Section
70 53B-1-402;

71 (f) the reports described in Section 53B-28-401 by the Utah Board of Higher Education
72 regarding activities related to campus safety;

73 (g) the State Superintendent's Annual Report by the state board described in Section
74 53E-1-203;

75 (h) the annual report described in Section 53E-2-202 by the state board on the strategic
76 plan to improve student outcomes;

77 (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for
78 the Deaf and the Blind;

79 (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,
80 Actionable, and Dynamic Education director on research and other activities;

81 (k) the report described in Section 53F-4-203 by the state board and the independent
82 evaluator on an evaluation of early interactive reading software;

83 (l) the report described in Section 53F-4-407 by the state board on UPSTART;

84 (m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board
85 related to grants for professional learning and grants for an elementary teacher preparation
86 assessment; and

87 (n) the report described in Section 53F-5-405 by the State Board of Education regarding
88 an evaluation of a partnership that receives a grant to improve educational outcomes for students

89 who are low income.

90 (2) In accordance with applicable provisions and Section 68-3-14, the following
91 occasional reports are due to the Education Interim Committee:

92 (a) the report described in Section 35A-15-303 by the School Readiness Board by
93 November 30, 2020, on benchmarks for certain preschool programs;

94 (b) the report described in Section 53B-28-402 by the Utah Board of Higher Education
95 on or before the Education Interim Committee's November 2021 meeting;

96 (c) the report described in Section 53E-3-519 by the state board regarding counseling
97 services in schools;

98 (d) the reports described in Section 53E-3-520 by the state board regarding cost centers
99 and implementing activity based costing;

100 (e) if required, the report described in Section 53E-4-309 by the state board explaining
101 the reasons for changing the grade level specification for the administration of specific
102 assessments;

103 (f) if required, the report described in Section 53E-5-210 by the state board of an
104 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

105 (g) in 2022 and in 2023, on or before November 30, the report described in Subsection
106 53E-10-309(7) related to the PRIME pilot program;

107 (h) the report described in Section 53E-10-702 by Utah Leading through Effective,
108 Actionable, and Dynamic Education;

109 [~~(i) the report described in Section 53F-2-502 by the state board on the program~~
110 ~~evaluation of the dual language immersion program;~~]

111 [(~~f~~)] (i) if required, the report described in Section 53F-2-513 by the state board
112 evaluating the effects of salary bonuses on the recruitment and retention of effective teachers in
113 high poverty schools;

114 [~~(k)~~] (j) upon request, the report described in Section 53F-5-207 by the state board on
115 the Intergenerational Poverty Intervention Grants Program;

116 [(~~H~~)] (k) the report described in Section 53F-5-210 by the state board on the Educational
117 Improvement Opportunities Outside of the Regular School Day Grant Program;

118 [~~(m)~~] (l) the report described in Section 53G-7-503 by the state board regarding fees
119 that LEAs charge during the 2020-2021 school year;

120 [~~(n)~~] (m) the reports described in Section 53G-11-304 by the state board regarding

121 proposed rules and results related to educator exit surveys;

122 ~~[(o) upon request, the report described in Section 53G-11-505 by the state board on~~
123 ~~progress in implementing employee evaluations;]~~

124 ~~[(p)]~~ (n) the report described in Section 62A-15-117 by the Division of Substance
125 Abuse and Mental Health, the State Board of Education, and the Department of Health regarding
126 recommendations related to Medicaid reimbursement for school-based health services; and

127 ~~[(q)]~~ (o) the reports described in Section 63C-19-202 by the Higher Education Strategic
128 Planning Commission.

129 (3) In accordance with Section 53B-7-705, the Education Interim Committee shall
130 complete the review of the implementation of performance funding.

131 Section 2. Section 53E-1-202 is amended to read:

132 **53E-1-202. Reports to and action required of the Public Education Appropriations**
133 **Subcommittee.**

134 (1) In accordance with applicable provisions and Section 68-3-14, the following
135 recurring reports are due to the Public Education Appropriations Subcommittee:

136 (a) the State Superintendent's Annual Report by the state board described in Section
137 53E-1-203;

138 (b) the report described in Section 53E-10-703 by the Utah Leading through Effective,
139 Actionable, and Dynamic Education director on research and other activities; and

140 (c) the report by the STEM Action Center Board described in Section 9-22-109,
141 including the information described in Section 9-22-113 on the status of the computer science
142 initiative.

143 (2) ~~[(a)]~~ The one-time report by the state board regarding cost centers and implementing
144 activity based costing is due to the Public Education Appropriations Subcommittee in
145 accordance with Section 53E-3-520.

146 ~~[(b) The occasional report, described in Section 53F-2-502 by the state board on the~~
147 ~~program evaluation of the dual language immersion program, is due to the Public Education~~
148 ~~Appropriations Subcommittee and in accordance with Section 68-3-14.]~~

149 (3) In accordance with applicable provisions, the Public Education Appropriations
150 Subcommittee shall complete the following:

151 (a) the evaluation described in Section 53F-2-410 of funding for at-risk students; and

152 (b) if required, the study described in Section 53F-4-304 of scholarship payments.

153 Section 3. Section **53E-1-203** is amended to read:

154 **53E-1-203. State Superintendent's Annual Report.**

155 (1) The state board shall prepare and submit to the governor, the Education Interim
156 Committee, and the Public Education Appropriations Subcommittee, by January 15 of each year,
157 an annual written report known as the State Superintendent's Annual Report that includes:

- 158 (a) the operations, activities, programs, and services of the state board;
- 159 (b) subject to Subsection (4)(b), all reports listed in Subsection (4)(a); and
- 160 (c) data on the general condition of the schools with recommendations considered

161 desirable for specific programs, including:

- 162 (i) a complete statement of fund balances;
- 163 (ii) a complete statement of revenues by fund and source;
- 164 (iii) a complete statement of adjusted expenditures by fund, the status of bonded
165 indebtedness, the cost of new school plants, and school levies;
- 166 (iv) a complete statement of state funds allocated to each school district and charter
167 school by source, including supplemental appropriations, and a complete statement of
168 expenditures by each school district and charter school, including supplemental appropriations,
169 by function and object as outlined in the United States Department of Education publication
170 "Financial Accounting for Local and State School Systems";

171 (v) a statement that includes data on:

- 172 (A) fall enrollments;
- 173 (B) average membership;
- 174 (C) high school graduates;
- 175 (D) licensed and classified employees, including data reported by school districts on
176 educator ratings described in Section **53G-11-511**;

177 (E) pupil-teacher ratios;

178 (F) average class sizes;

179 (G) average salaries;

180 (H) applicable private school data; and

181 (I) data from statewide assessments described in Section **53E-4-301** for each school and
182 school district;

183 (vi) statistical information regarding incidents of delinquent activity in the schools or at
184 school-related activities; and

185 (vii) other statistical and financial information about the school system that the state
186 superintendent considers pertinent.

187 (2) (a) For the purposes of Subsection (1)(c)(v):

188 (i) the pupil-teacher ratio for a school shall be calculated by dividing the number of
189 students enrolled in a school by the number of full-time equivalent teachers assigned to the
190 school, including regular classroom teachers, school-based specialists, and special education
191 teachers;

192 (ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio of
193 the schools within a school district;

194 (iii) the pupil-teacher ratio for charter schools aggregated shall be the median
195 pupil-teacher ratio of charter schools in the state; and

196 (iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median
197 pupil-teacher ratio of public schools in the state.

198 (b) The report shall:

199 (i) include the pupil-teacher ratio for:

200 (A) each school district;

201 (B) the charter schools aggregated; and

202 (C) the state's public schools aggregated; and

203 (ii) identify a website where pupil-teacher ratios for each school in the state may be
204 accessed.

205 (3) For each operation, activity, program, or service provided by the state board, the
206 annual report shall include:

207 (a) a description of the operation, activity, program, or service;

208 (b) data and metrics:

209 (i) selected and used by the state board to measure progress, performance, effectiveness,
210 and scope of the operation, activity, program, or service, including summary data; and

211 (ii) that are consistent and comparable for each state operation, activity, program, or
212 service;

213 (c) budget data, including the amount and source of funding, expenses, and allocation of
214 full-time employees for the operation, activity, program, or service;

215 (d) historical data from previous years for comparison with data reported under
216 Subsections (3)(b) and (c);

217 (e) goals, challenges, and achievements related to the operation, activity, program, or
218 service;

219 (f) relevant federal and state statutory references and requirements;

220 (g) contact information of officials knowledgeable and responsible for each operation,
221 activity, program, or service; and

222 (h) other information determined by the state board that:

223 (i) may be needed, useful, or of historical significance; or

224 (ii) promotes accountability and transparency for each operation, activity, program, or
225 service with the public and elected officials.

226 (4) (a) Except as provided in Subsection (4)(b), the annual report shall also include:

227 (i) the report described in Section 53E-3-507 by the state board on career and technical
228 education needs and program access;

229 (ii) through October 1, 2022, the report described in Section 53E-3-515 by the state
230 board on the Hospitality and Tourism Management Career and Technical Education Pilot
231 Program;

232 (iii) beginning on July 1, 2023, the report described in Section 53E-3-516 by the state
233 board on certain incidents that occur on school grounds;

234 (iv) the report described in Section 53E-4-202 by the state board on the development
235 and implementation of the core standards for Utah public schools;

236 (v) the report described in Section 53E-5-310 by the state board on school turnaround
237 and leadership development;

238 (vi) the report described in Section 53E-10-308 by the state board and Utah Board of
239 Higher Education on student participation in the concurrent enrollment program;

240 [~~(vii) the report described in Section 53F-2-503 by the state board on early literacy;~~]

241 [~~(viii)~~ (vii) the report described in Section 53F-5-506 by the state board on information
242 related to competency-based education; and

243 [~~(ix)~~ (viii) the report described in Section 53G-9-802 by the state board on dropout
244 prevention and recovery services[; and].

245 [~~(x) the report described in Section 53G-10-204 by the state board on methods used, and
246 the results being achieved, to instruct and prepare students to become informed and responsible
247 citizens.]~~

248 (b) The Education Interim Committee or the Public Education Appropriations

249 Subcommittee may request a report described in Subsection (4)(a) to be reported separately
250 from the State Superintendent's Annual Report.

251 (5) The annual report shall be designed to provide clear, accurate, and accessible
252 information to the public, the governor, and the Legislature.

253 (6) The state board shall:

254 (a) submit the annual report in accordance with Section 68-3-14; and

255 (b) make the annual report, and previous annual reports, accessible to the public by
256 placing a link to the reports on the state board's website.

257 (7) (a) Upon request of the Education Interim Committee or Public Education
258 Appropriations Subcommittee, the state board shall present the State Superintendent's Annual
259 Report to either committee.

260 (b) After submitting the State Superintendent's Annual Report in accordance with this
261 section, the state board may supplement the report at a later time with updated data, information,
262 or other materials as necessary or upon request by the governor, the Education Interim
263 Committee, or the Public Education Appropriations Subcommittee.

264 Section 4. Section 53E-1-205 is enacted to read:

265 **53E-1-205. Reporting impact analysis.**

266 (1) As used in this section, "proposed report" means a report that:

267 (a) an LEA is required to prepare or submit to the state board;

268 (b) a rule proposed by the state board requires; and

269 (c) is not required by federal law, Utah Code, or another state entity.

270 (2) The state board shall establish a policy or procedures to evaluate the impact a
271 proposed report may have on reporting requirements for an LEA.

272 (3) The impact described in Subsection (2) may include:

273 (a) the estimated cost to an LEA associated with the proposed report;

274 (b) the estimated time an LEA administrator will spend preparing the proposed report;

275 and

276 (c) any disproportionate impact the proposed report may have on an LEA because of the
277 LEA's size, location, or other factors.

278 Section 5. Section 53F-2-502 is amended to read:

279 **53F-2-502. Dual language immersion.**

280 (1) As used in this section:

281 (a) "Dual language immersion" means an instructional setting in which a student receives
282 a portion of instruction in English and a portion of instruction exclusively in a partner language.

283 (b) "Local education agency" or "LEA" means a school district or a charter school.

284 (c) "Participating LEA" means an LEA selected by the state board to receive a grant
285 described in this section.

286 (d) "Partner language" means a language other than English in which instruction is
287 provided in dual language immersion.

288 (2) The state board shall:

289 (a) establish a dual language immersion program;

290 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make
291 rules that establish:

292 (i) a grant program for an LEA to receive funding for dual language immersion;

293 (ii) the required qualifications for an LEA to be a participating LEA;

294 (iii) subject to this section, requirements of a participating LEA;

295 (iv) a proficiency assessment for each partner language; and

296 (v) a progression of how a school in a participating LEA adds grade levels in which the
297 school offers dual language immersion; and

298 (c) subject to legislative appropriations:

299 (i) select participating LEAs; and

300 (ii) award to a participating LEA a grant to support dual language immersion in the
301 LEA[; ~~and~~].

302 [~~(d) report to a legislative committee on the results of a proficiency assessment~~
303 ~~described in Subsection (2)(b)(iv) upon request.~~]

304 (3) A participating LEA shall:

305 (a) establish in a school a full-day dual language immersion instructional model that
306 provides at least 50% of instruction exclusively in a partner language;

307 (b) in accordance with the state board rules described in Subsection (2)(b), add grades
308 in which dual language immersion is provided in a school; and

309 (c) annually administer to each student in grades 3 through 8 who participates in dual
310 language immersion an assessment described in Subsection (2)(b)(iv).

311 (4) The state board shall:

312 (a) provide support to a participating LEA, including by:

- 313 (i) offering professional learning for dual language immersion educators;
- 314 (ii) developing curriculum related to dual language immersion; or
- 315 (iii) providing instructional support for a partner language;
- 316 (b) conduct a program evaluation of the dual language immersion program established
- 317 under Subsection (2)(a); and
- 318 (c) on or before November 1, 2019, report to the Education Interim Committee and the
- 319 Public Education Appropriations Subcommittee on the results of the program evaluation
- 320 described in Subsection (4)(b).

321 (5) The state board may, in accordance with Title 63G, Chapter 6a, Utah Procurement
322 Code, contract with a third party to conduct the program evaluation described in Subsection
323 (4)(b).

324 Section 6. Section **53F-2-503** is amended to read:

325 **53F-2-503. Early Literacy Program -- Literacy proficiency plan.**

326 (1) As used in this section:

327 (a) "Program" means the Early Literacy Program.

328 (b) "Program money" means:

329 (i) school district revenue allocated to the program from other money available to the
330 school district, except money provided by the state, for the purpose of receiving state funds
331 under this section; and

332 (ii) money appropriated by the Legislature to the program.

333 (2) The Early Literacy Program consists of program money and is created to supplement
334 other school resources for early literacy.

335 (3) Subject to future budget constraints, the Legislature may annually appropriate money
336 to the Early Literacy Program.

337 (4) An LEA governing board of a school district or a charter school that serves students
338 in any of grades kindergarten through grade 3 shall submit, in accordance with Section
339 [53G-7-218](#), a plan to the state board for literacy proficiency improvement that incorporates the
340 following components:

341 (a) core instruction in:

342 (i) phonological awareness;

343 (ii) phonics;

344 (iii) fluency;

- 345 (iv) comprehension;
- 346 (v) vocabulary;
- 347 (vi) oral language; and
- 348 (vii) writing;
- 349 (b) intervention strategies that are aligned to student needs;
- 350 (c) professional development for classroom teachers, literacy coaches, and
- 351 interventionists in kindergarten through grade 3;
- 352 (d) assessments that support adjustments to core and intervention instruction;
- 353 (e) a growth goal for the school district or charter school that:
- 354 (i) is based upon student learning gains as measured by benchmark assessments
- 355 administered pursuant to Section [53E-4-307](#); and
- 356 (ii) includes a target of at least 60% of all students in grades 1 through 3 meeting the
- 357 growth goal;
- 358 (f) at least one goal that is specific to the school district or charter school that:
- 359 (i) is measurable;
- 360 (ii) addresses current performance gaps in student literacy based on data; and
- 361 (iii) includes specific strategies for improving outcomes; and
- 362 (g) if a school uses interactive literacy software, the use of interactive literacy software,
- 363 including early interactive reading software described in Section [53F-4-203](#).
- 364 (5) (a) There are created within the Early Literacy Program three funding programs:
- 365 (i) the Base Level Program;
- 366 (ii) the Guarantee Program; and
- 367 (iii) the Low Income Students Program.
- 368 (b) The state board may use up to \$7,500,000 from an appropriation described in
- 369 Subsection (3) for computer-assisted instructional learning and assessment programs.
- 370 (6) Money appropriated to the state board for the Early Literacy Program and not used
- 371 by the state board for computer-assisted instructional learning and assessments described in
- 372 Subsection (5)(b) shall be allocated to the three funding programs as follows:
- 373 (a) 8% to the Base Level Program;
- 374 (b) 46% to the Guarantee Program; and
- 375 (c) 46% to the Low Income Students Program.
- 376 (7) (a) For a school district or charter school to participate in the Base Level Program,

377 the LEA governing board shall submit a plan described in Subsection (4) and shall receive
378 approval of the plan from the state board.

379 (b) (i) The local school board of a school district qualifying for Base Level Program
380 funds and the charter school governing boards of qualifying elementary charter schools
381 combined shall receive a base amount.

382 (ii) The base amount for the qualifying elementary charter schools combined shall be
383 allocated among each charter school in an amount proportionate to:

384 (A) each existing charter school's prior year fall enrollment in grades kindergarten
385 through grade 3; and

386 (B) each new charter school's estimated fall enrollment in grades kindergarten through
387 grade 3.

388 (8) (a) A local school board that applies for program money in excess of the Base Level
389 Program funds may choose to first participate in the Guarantee Program or the Low Income
390 Students Program.

391 (b) A school district shall fully participate in either the Guarantee Program or the Low
392 Income Students Program before the local school board may elect for the school district to either
393 fully or partially participate in the other program.

394 (c) For a school district to fully participate in the Guarantee Program, the local school
395 board shall allocate to the program money available to the school district, except money
396 provided by the state, equal to the amount of revenue that would be generated by a tax rate of
397 .000056.

398 (d) For a school district to fully participate in the Low Income Students Program, the
399 local school board shall allocate to the program money available to the school district, except
400 money provided by the state, equal to the amount of revenue that would be generated by a tax
401 rate of .000065.

402 (e) (i) The state board shall verify that a local school board allocates the money
403 required in accordance with Subsections (8)(c) and (d) before the state board distributes funds
404 in accordance with this section.

405 (ii) The State Tax Commission shall provide the state board the information the state
406 board needs in order to comply with Subsection (8)(e)(i).

407 (9) (a) Except as provided in Subsection (9)(c), the local school board of a school
408 district that fully participates in the Guarantee Program shall receive state funds in an amount

409 that is:

410 (i) equal to the difference between \$21 multiplied by the school district's total WPU's and
411 the revenue the local school board is required to allocate under Subsection (8)(c) for the school
412 district to fully participate in the Guarantee Program; and

413 (ii) not less than \$0.

414 (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive
415 under the Guarantee Program an amount equal to \$21 times the elementary charter school's total
416 WPU's.

417 (c) The state board may adjust the \$21 guarantee amount described in Subsections (9)(a)
418 and (b) to account for actual appropriations and money used by the state board for
419 computer-assisted instructional learning and assessments.

420 (10) The state board shall distribute Low Income Students Program funds in an amount
421 proportionate to the number of students in each school district or charter school who qualify for
422 free or reduced price school lunch multiplied by two.

423 (11) A school district that partially participates in the Guarantee Program or Low
424 Income Students Program shall receive program funds based on the amount of school district
425 revenue allocated to the program as a percentage of the amount of revenue that could have been
426 allocated if the school district had fully participated in the program.

427 (12) (a) An LEA governing board shall use program money for early literacy
428 interventions and supports in kindergarten through grade 3 that have proven to significantly
429 increase the percentage of students who are proficient in literacy, including:

430 (i) evidence-based intervention curriculum;

431 (ii) literacy assessments that identify student learning needs and monitor learning
432 progress; or

433 (iii) focused literacy interventions that may include:

434 (A) the use of reading specialists or paraprofessionals;

435 (B) tutoring;

436 (C) before or after school programs;

437 (D) summer school programs; or

438 (E) the use of interactive computer software programs for literacy instruction and
439 assessments for students.

440 (b) An LEA governing board may use program money for portable technology devices

441 used to administer literacy assessments.

442 (c) Program money may not be used to supplant funds for existing programs, but may be
443 used to augment existing programs.

444 ~~[(13) (a) An LEA governing board shall annually submit a report to the state board
445 accounting for the expenditure of program money in accordance with the LEA governing board's
446 plan described in Subsection (4).]~~

447 [(b)] (13) If an LEA governing board uses program money in a manner that is
448 inconsistent with Subsection (12), the school district or charter school is liable for reimbursing
449 the state board for the amount of program money improperly used, up to the amount of program
450 money received from the state board.

451 (14) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
452 the state board shall make rules to implement the program.

453 (b) (i) The rules under Subsection (14)(a) shall require each LEA governing board to
454 annually report progress in meeting goals described in Subsections (4)(e) and (f), including the
455 strategies the school district or charter school uses to address the goals.

456 (ii) If a school district or charter school does not meet or exceed the school district's or
457 charter school's goals described in Subsections (4)(e) or (f), the LEA governing board shall
458 prepare a new plan that corrects deficiencies.

459 (iii) The new plan described in Subsection (14)(b)(ii) shall be approved by the state
460 board before the LEA governing board receives an allocation for the next year.

461 (15) The state board may use up to 3% of the funds appropriated by the Legislature to
462 carry out the provisions of this section for administration of the program.

463 (16) The state board shall make an annual report in accordance with Section [53E-1-203](#)
464 that:

465 (a) includes information on:

466 (i) student learning gains in early literacy for the past school year and the five-year
467 trend;

468 (ii) the percentage of grade 3 students who are proficient in English language arts in the
469 past school year and the five-year trend;

470 (iii) the progress of school districts and charter schools in meeting goals described in a
471 plan described in Subsection (4); and

472 (iv) the specific strategies or interventions used by school districts or charter schools
473 that have significantly improved early grade literacy proficiency; and

474 (b) may include recommendations on how to increase the percentage of grade 3 students
475 who are proficient in English language arts, including how to use a strategy or intervention
476 described in Subsection (16)(a)(iv) to improve literacy proficiency for additional students.

477 (17) The report described in Subsection (16) shall include information provided through
478 the digital reporting platform described in Subsection 53G-7-218(5)(a).

479 Section 7. Section 53F-2-510 is amended to read:

480 **53F-2-510. Digital Teaching and Learning Grant Program.**

481 (1) As used in this section:

482 (a) "Advisory committee" means the committee established by the state board under
483 Subsection (7)(b).

484 (b) "Digital readiness assessment" means an assessment provided by the state board
485 that:

486 (i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive
487 digital teaching and learning; and

488 (ii) informs the preparation of an LEA's plan for incorporating comprehensive digital
489 teaching and learning.

490 (c) "High quality professional learning" means the professional learning standards
491 described in Section 53G-11-303.

492 (d) "Implementation assessment" means an assessment that analyzes an LEA's
493 implementation of an LEA plan, including identifying areas for improvement, obstacles to
494 implementation, progress toward the achievement of stated goals, and recommendations going
495 forward.

496 (e) "LEA plan" means an LEA's plan to implement a digital teaching and learning
497 program that meets the requirements of this section and requirements set forth by the state board
498 and the advisory committee.

499 (f) "Program" means the Digital Teaching and Learning Grant Program created and
500 described in Subsections (6) through (11).

501 (g) "Utah Education and Telehealth Network" or "UETN" means the Utah Education and
502 Telehealth Network created in Section 53B-17-105.

503 (2) (a) The state board shall establish a digital teaching and learning task force to

504 develop a funding proposal to present to the Legislature for digital teaching and learning in
505 elementary and secondary schools.

506 (b) The digital teaching and learning task force shall include representatives of:

507 (i) the state board;

508 (ii) UETN;

509 (iii) LEAs; and

510 (iv) the Governor's Education Excellence Commission.

511 (3) As funding allows, the state board shall develop a master plan for a statewide digital
512 teaching and learning program, including the following:

513 (a) a statement of purpose that describes the objectives or goals the state board will
514 accomplish by implementing a digital teaching and learning program;

515 (b) a forecast for fundamental components needed to implement a digital teaching and
516 learning program, including a forecast for:

517 (i) student and teacher devices;

518 (ii) Wi-Fi and wireless compatible technology;

519 (iii) curriculum software;

520 (iv) assessment solutions;

521 (v) technical support;

522 (vi) change management of LEAs;

523 (vii) high quality professional learning;

524 (viii) Internet delivery and capacity; and

525 (ix) security and privacy of users;

526 (c) a determination of the requirements for:

527 (i) statewide technology infrastructure; and

528 (ii) local LEA technology infrastructure;

529 (d) standards for high quality professional learning related to implementing and
530 maintaining a digital teaching and learning program;

531 (e) a statewide technical support plan that will guide the implementation and
532 maintenance of a digital teaching and learning program, including standards and competency
533 requirements for technical support personnel;

534 (f) (i) a grant program for LEAs; or

535 (ii) a distribution formula to fund LEA digital teaching and learning programs;

536 (g) in consultation with UETN, an inventory of the state public education system's
537 current technology resources and other items and a plan to integrate those resources into a digital
538 teaching and learning program;

539 (h) an ongoing evaluation process that is overseen by the state board;

540 (i) proposed rules that incorporate the principles of the master plan into the state's
541 public education system as a whole; and

542 (j) a plan to ensure long-term sustainability that:

543 (i) accounts for the financial impacts of a digital teaching and learning program; and

544 (ii) facilitates the redirection of LEA savings that arise from implementing a digital
545 teaching and learning program.

546 (4) UETN shall:

547 (a) in consultation with the state board, conduct an inventory of the state public
548 education system's current technology resources and other items as determined by UETN,
549 including software;

550 (b) perform an engineering study to determine the technology infrastructure needs of the
551 public education system to implement a digital teaching and learning program, including the
552 infrastructure needed for the state board, UETN, and LEAs; and

553 (c) as funding allows, provide infrastructure and technology support for school districts
554 and charter schools.

555 (5) Beginning July 1, 2016, and ending July 1, 2021, each LEA, including each school
556 within an LEA, shall annually complete a digital readiness assessment.

557 (6) There is created the Digital Teaching and Learning Grant Program to improve
558 educational outcomes in public schools by effectively incorporating comprehensive digital
559 teaching and learning technology.

560 (7) The state board shall:

561 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
562 adopt rules for the administration of the program, including rules requiring:

563 (i) an LEA plan to include measures to ensure that the LEA monitors and implements
564 technology with best practices, including the recommended use for effectiveness;

565 (ii) an LEA plan to include robust goals for learning outcomes and appropriate
566 measurements of goal achievement; and

567 (iii) an LEA to demonstrate that the LEA plan can be fully funded by grant funds or a

568 combination of grant and local funds~~[-and];~~

569 ~~[(iv) an LEA to report on funds from expenses previous to the implementation of the~~
570 ~~LEA plan that the LEA has redirected after implementation;]~~

571 (b) establish an advisory committee to make recommendations on the program and LEA
572 plan requirements and report to the state board; and

573 (c) in accordance with this section, approve LEA plans and award grants.

574 (8) (a) The state board shall, subject to legislative appropriations, award a grant to an
575 LEA:

576 (i) that submits an LEA plan that meets the requirements described in Subsection (9);
577 and

578 (ii) for which the LEA's leadership and management members have completed a digital
579 teaching and learning leadership and implementation training as provided in Subsection (8)(b).

580 (b) The state board or its designee shall provide the training described in Subsection
581 (8)(a)(ii).

582 (9) The state board shall establish requirements of an LEA plan that shall include:

583 (a) the results of the LEA's digital readiness assessment and a proposal to remedy an
584 obstacle to implementation or other issues identified in the assessment;

585 (b) a proposal to provide high quality professional learning for educators in the use of
586 digital teaching and learning technology;

587 (c) a proposal for leadership training and management restructuring, if necessary, for
588 successful implementation;

589 (d) clearly identified targets for improved student achievement, student learning, and
590 college readiness through digital teaching and learning; and

591 (e) any other requirement established by the state board in rule made in accordance with
592 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, including an application process and
593 metrics to analyze the quality of a proposed LEA plan.

594 (10) The state board or the state board's designee shall establish an interactive
595 dashboard available to each LEA that is awarded a grant for the LEA to track and report the
596 LEA's long-term, intermediate, and direct outcomes in [~~realtime~~] real time and for the LEA to
597 use to create customized reports.

598 (11) (a) There is no federal funding, federal requirement, federal education agreement,
599 or national program included or related to this state adopted program.

600 (b) Any inclusion of federal funding, federal requirement, federal education agreement,
601 or national program shall require separate express approval as provided in Title 53E, Chapter 3,
602 Part 8, Implementing Federal or National Education Programs.

603 (12) ~~[(a)]~~ An LEA that receives a grant as part of the program shall:

604 ~~[(i)]~~ (a) ~~[subject to Subsection (12)(b), complete]~~ complete an implementation
605 assessment for each year that the LEA is expending grant money; and

606 ~~[(ii)(A)]~~ (b)(i) report the findings of the implementation assessment to the state board;
607 and

608 ~~[(B)]~~ (ii) submit to the state board a plan to resolve issues raised in the implementation
609 assessment.

610 ~~[(b) Each school within the LEA shall:]~~

611 ~~[(i) complete an implementation assessment; and]~~

612 ~~[(ii) submit a compilation report that meets the requirements described in Subsections~~
613 ~~(12)(a)(ii)(A) and (B).]~~

614 (13) The state board or the state board's designee shall review an implementation
615 assessment and review each participating LEA's progress from the previous year, as applicable.

616 (14) The state board shall establish interventions for an LEA that does not make
617 progress on implementation of the LEA's implementation plan, including:

618 (a) nonrenewal of, or time period extensions for, the LEA's grant;

619 (b) reduction of funds; or

620 (c) other interventions to assist the LEA.

621 (15) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the state board
622 shall contract with an independent evaluator to:

623 (a) annually evaluate statewide direct and intermediate outcomes beginning the first year
624 that grants are awarded, including baseline data collection for long-term outcomes;

625 (b) in the fourth year after a grant is awarded, and each year thereafter, evaluate
626 statewide long-term outcomes; and

627 (c) report on the information described in Subsections (15)(a) and (b) to the state board.

628 (16) (a) To implement an LEA plan, a contract, in accordance with Title 63G, Chapter
629 6a, Utah Procurement Code, or other agreement with one or more providers of technology
630 powered learning solutions and one or more providers of wireless networking solutions may be
631 entered into by:

632 (i) UETN, in cooperation with or on behalf of, as applicable, the state board, the state
633 board's designee, or an LEA; or

634 (ii) an LEA.

635 (b) A contract or agreement entered into under Subsection (16)(a) may be a contract or
636 agreement that:

637 (i) UETN enters into with a provider and payment for services is directly appropriated
638 by the Legislature, as funds are available, to UETN;

639 (ii) UETN enters into with a provider and pays for the provider's services and is
640 reimbursed for payments by an LEA that benefits from the services;

641 (iii) UETN negotiates the terms of on behalf of an LEA that enters into the contract or
642 agreement directly with the provider and the LEA pays directly for the provider's services; or

643 (iv) an LEA enters into directly, pays a provider, and receives preapproved
644 reimbursement from a UETN fund established for this purpose.

645 (c) If an LEA does not reimburse UETN in a reasonable time for services received
646 under a contract or agreement described in Subsection (16)(b), the state board shall pay the
647 balance due to UETN from the LEA's funds received under Title 53F, Chapter 2, State Funding
648 -- Minimum School Program.

649 (d) If UETN negotiates or enters into an agreement as described in Subsection
650 (16)(b)(ii) or (16)(b)(iii), and UETN enters into an additional agreement with an LEA that is
651 associated with the agreement described in Subsection (16)(b)(ii) or (16)(b)(iii), the associated
652 agreement may be treated by UETN and the LEA as a cooperative procurement, as that term is
653 defined in Section [63G-6a-103](#), regardless of whether the associated agreement satisfies the
654 requirements of Section [63G-6a-2105](#).

655 Section 8. Section **53G-10-204** is amended to read:

656 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
657 **Elements -- Reporting requirements.**

658 (1) As used in this section:

659 (a) "Character education" means reaffirming values and qualities of character which
660 promote an upright and desirable citizenry.

661 (b) "Civic education" means the cultivation of informed, responsible participation in
662 political life by competent citizens committed to the fundamental values and principles of
663 representative democracy in Utah and the United States.

664 (c) "Civics engagement pilot program" means the pilot program described in Subsection
665 [~~(7)~~] (6).

666 (d) "Civics engagement project" means the civics engagement project described in
667 Subsection [~~(7)~~] (6), which a student enrolled in a participating LEA may complete.

668 (e) "Participating LEA" means an LEA that meets the eligibility criteria, and is selected
669 by the state board, to participate in the civics engagement pilot program.

670 (f) "Values" means time-established principles or standards of worth.

671 (2) The Legislature recognizes that:

672 (a) Civic and character education are fundamental elements of the public education
673 system's core mission as originally intended and established under Article X of the Utah
674 Constitution;

675 (b) Civic and character education are fundamental elements of the constitutional
676 responsibility of public education and shall be a continuing emphasis and focus in public
677 schools;

678 (c) the cultivation of a continuing understanding and appreciation of a constitutional
679 republic and principles of representative democracy in Utah and the United States among
680 succeeding generations of educated and responsible citizens is important to the nation and state;

681 (d) the primary responsibility for the education of children within the state resides with
682 their parents and that the role of state and local governments is to support and assist parents in
683 fulfilling that responsibility;

684 (e) public schools fulfill a vital purpose in the preparation of succeeding generations of
685 informed and responsible citizens who are deeply attached to essential democratic values and
686 institutions; and

687 (f) the happiness and security of American society relies upon the public virtue of its
688 citizens which requires a united commitment to a moral social order where self-interests are
689 willingly subordinated to the greater common good.

690 (3) Through an integrated curriculum, students shall be taught in connection with regular
691 school work:

692 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;

693 (b) respect for and an understanding of the Declaration of Independence and the
694 constitutions of the United States and of the state of Utah;

695 (c) Utah history, including territorial and preterritorial development to the present;

696 (d) the essentials and benefits of the free enterprise system;
697 (e) respect for parents, home, and family;
698 (f) the dignity and necessity of honest labor; and
699 (g) other skills, habits, and qualities of character which will promote an upright and
700 desirable citizenry and better prepare students to recognize and accept responsibility for
701 preserving and defending the blessings of liberty inherited from prior generations and secured by
702 the constitution.

703 (4) Local school boards and school administrators may provide training, direction, and
704 encouragement, as needed, to accomplish the intent and requirements of this section and to
705 effectively emphasize civic and character education in the course of regular instruction in the
706 public schools.

707 (5) Civic and character education in public schools are:

708 (a) not intended to be separate programs in need of special funding or added specialists
709 to be accomplished; and

710 (b) core principles which reflect the shared values of the citizens of Utah and the
711 founding principles upon which representative democracy in the United States and the state of
712 Utah are based.

713 [~~(6) In accordance with Section 53E-1-203, the state board shall report to the Education~~
714 ~~Interim Committee the methods used, and the results being achieved, to instruct and prepare~~
715 ~~students to become informed and responsible citizens through an integrated curriculum taught in~~
716 ~~connection with regular school work as required in this section.]~~

717 [(7)] (6) (a) In accordance with this section, subject to appropriations by the Legislature
718 for this purpose, beginning with the 2020-21 school year, the state board shall administer a
719 three-year civics engagement pilot program to assess the benefits of, and methods for,
720 implementing a requirement to complete a civics engagement project as a condition for receiving
721 a high school diploma.

722 (b) The state board shall:

723 (i) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
724 Rulemaking Act:

725 (A) to create a civics engagement project that complies with core standards for Utah
726 public education for social studies and prepares students for lifelong civic motivation and
727 participation through applied learning of civics content;

- 728 (B) to establish eligibility requirements for participating LEAs;
 729 (C) to create an application process for LEAs to apply to participate in the pilot
 730 program; and
 731 (D) for a report that a participating LEA is required to submit to the state board at the
 732 end of the pilot program;
 733 (ii) select participating LEAs:
 734 (A) from diverse geographic areas within the state; and
 735 (B) with a range of student population sizes; and
 736 (iii) subject to appropriations by the Legislature for this purpose, in cooperation with
 737 school districts, charter schools, and interested private and nonprofit entities, provide training
 738 that prepares teachers in a participating LEA to assist students to successfully complete the
 739 civics engagement project.

740 (c) A participating LEA shall submit a report to the state board in accordance with the
 741 rules described in Subsection ~~[(7)]~~ (6)(b)(i)(D).

742 Section 9. Section **53G-11-505** is amended to read:

743 **53G-11-505. State board rules -- Reporting to Legislature.**

744 ~~[(1)]~~ Subject to Sections 53G-11-506, 53G-11-507, 53G-11-508, 53G-11-509,
 745 53G-11-510, and 53G-11-511, rules adopted by the state board under Section 53G-11-504
 746 shall:

747 ~~[(a)]~~ (1) provide general guidelines, requirements, and procedures for the development
 748 and implementation of employee evaluations;

749 ~~[(b)]~~ (2) establish required components and allow for optional components of employee
 750 evaluations;

751 ~~[(c)]~~ (3) require school districts to choose valid and reliable methods and tools to
 752 implement the evaluations; and

753 ~~[(d)]~~ (4) establish a timeline for school districts to implement employee evaluations.

754 ~~[(2) The state board shall report to the Education Interim Committee, as requested, on~~
 755 ~~progress in implementing employee evaluations in accordance with this section and Sections~~
 756 ~~53G-11-504, 53G-11-506, 53G-11-507, 53G-11-508, 53G-11-509, 53G-11-510, and~~
 757 ~~53G-11-511.]~~

758 Section 10. Section **63I-2-253** is amended to read:

759 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

760 (1) (a) Section 53-2a-217, regarding procurement during an epidemic or pandemic
761 emergency, is repealed on December 31, 2021.

762 (b) When repealing Section 53-2a-217, the Office of Legislative Research and General
763 Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make necessary
764 changes to subsection numbering and cross references.

765 (2) Section 53B-2a-103 is repealed July 1, 2021.

766 (3) Section 53B-2a-104 is repealed July 1, 2021.

767 (4) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a
768 technical college board of trustees, is repealed July 1, 2022.

769 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
770 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary
771 changes to subsection numbering and cross references.

772 (5) Section 53B-6-105.7 is repealed July 1, 2024.

773 (6) (a) Subsection 53B-7-705(6)(b)(ii)(A), the language that states "Except as provided
774 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

775 (b) Subsection 53B-7-705(6)(b)(ii)(B), regarding comparing a technical college's
776 change in performance with the technical college's average performance, is repealed July 1,
777 2021.

778 (7) (a) Subsection 53B-7-707(3)(a)(ii), the language that states "Except as provided in
779 Subsection (3)(b)," is repealed July 1, 2021.

780 (b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college
781 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

782 (8) Section 53B-8-114 is repealed July 1, 2024.

783 (9) (a) The following sections, regarding the Regents' scholarship program, are repealed
784 on July 1, 2023:

785 (i) Section 53B-8-202;

786 (ii) Section 53B-8-203;

787 (iii) Section 53B-8-204; and

788 (iv) Section 53B-8-205.

789 (b) (i) Subsection 53B-8-201(2), regarding the Regents' scholarship program for
790 students who graduate from high school before fiscal year 2019, is repealed on July 1, 2023.

791 (ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and

792 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary
793 changes to subsection numbering and cross references.

794 (10) Section 53B-10-101 is repealed on July 1, 2027.

795 (11) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
796 repealed July 1, 2023.

797 (12) Section 53E-3-519 regarding school counselor services is repealed July 1, 2020.

798 (13) Section 53E-3-520 is repealed July 1, 2021.

799 (14) Subsection 53E-5-306(3)(b)(ii)(B), related to improving school performance and
800 continued funding relating to the School Recognition and Reward Program, is repealed July 1,
801 2020.

802 (15) Section 53E-5-307 is repealed July 1, 2020.

803 (16) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1,
804 2024.

805 (17) In Subsections 53F-2-205(4) and (5), regarding the State Board of Education's
806 duties if contributions from the minimum basic tax rate are overestimated or underestimated, the
807 language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

808 (18) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
809 repealed July 1, 2023.

810 (19) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
811 applicable" is repealed July 1, 2023.

812 (20) Section 53F-4-207 is repealed July 1, 2022.

813 (21) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
814 applicable" is repealed July 1, 2023.

815 (22) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
816 applicable" is repealed July 1, 2023.

817 (23) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
818 applicable" is repealed July 1, 2023.

819 (24) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as
820 applicable" is repealed July 1, 2023.

821 (25) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204[(7)](6),
822 related to the civics engagement pilot program, are repealed on July 1, 2023.

823 (26) On July 1, 2023, when making changes in this section, the Office of Legislative

824 Research and General Counsel shall, in addition to the office's authority under Subsection
825 36-12-12(3), make corrections necessary to ensure that sections and subsections identified in
826 this section are complete sentences and accurately reflect the office's perception of the
827 Legislature's intent.

828 Section 11. **Repealer.**

829 This bill repeals:

830 Section **53F-2-508, Student Leadership Skills Development Program.**

831 Section **53F-2-512, Appropriation for accommodation plans for students with Section**
832 **504 accommodations.**